

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAMES J. JEREMIAH,

Plaintiff,

v.

CITY OF REDMOND, et al.,

Defendants.

CASE NO. C12-1071RAJ

ORDER

The court DENIES both of Plaintiff's motions to strike. Dkt. ## 95, 96. In accordance with the court's April 8 order, no Defendant responded to either motion. The court finds that no responses are necessary.

In the first motion, Plaintiff asks the court to strike an answer (Dkt. # 35) filed on behalf of all Defendants except Larry Mitchell. Plaintiff believes that the court should strike the answer because it omits Mr. Mitchell. Plaintiff is mistaken. No defendant is obligated to join in other defendants' answer to a complaint. Mr. Mitchell is entitled to file a separate answer if he prefers.

In the second motion, Plaintiff asks the court to strike Mr. Mitchell's answer (Dkt. # 45). His assertion is that, for reasons not apparent, Mr. Mitchell answered an unauthorized amended complaint (Dkt. # 16) that the court had already stricken in a December 28, 2012 order (Dkt. # 19). The court noted in the December 28 order that it was difficult to tell what, if anything, had changed between Plaintiff's exceedingly

1 lengthy operative complaint (Dkt. # 9) and his equally lengthy unauthorized amendment.  
2 Plaintiff does not point to any particular prejudice he suffers as a result of Mr. Mitchell  
3 responding to the wrong complaint. It is clear from reading Mr. Mitchell's answer that  
4 he denies all of the material allegations of the complaint. The court finds it unnecessary  
5 to force Mr. Mitchell to draft another lengthy answer.

6 Dated this 1st day of May, 2013.

7  
8 

9  
10 The Honorable Richard A. Jones  
United States District Court Judge